

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

RECEIVED
CENTRAL FAX CENTER

JUN 03 2004

Fax**OFFICIAL**

To: Examiner Kieu-Oanh T. Bui	From: Ralph F. Hoppin, Esq.
Fax: 703 872 9306	Pages: 12 (including cover sheet)
Phone:	Date: June 3, 2004
Re: Response to Office Action dated May 7, 2004	CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle


COMMENTS:**PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:**

1. Amendment Transmittal in duplicate
2. RESPONSE (Sec. 1.116)
3. Certificate of Transmission by Facsimile dated June 3, 2004

Applicants: Larry J. Eshelman, et al.
Serial No.: 09/686,831
Filing Date: October 11, 2000
For: VIRTUAL CREATURE...
Docket: US000251 (17058)
Dated: June 3, 2004
RFH/rjl

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Rosemarie Lamb at Ext. 507.

AMENDMENT TRANSMITTAL LETTER (Large Entity)			Docket No.		
Applicant(s): Larry J. Eshelman, et al.			US000251 (17058)		
Serial No. 09/686,831	Filing Date October 11, 2000	Examiner Bui, Kieu-Danh T.		Group Art Unit 2611	
Invention: VIRTUAL CREATURE DISPLAYED ON A TELEVISION					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23 -	23 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
 <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 _____ <i>Signature</i>			Dated: June 3, 2004		
Ralph F. Hoppin, Esq. Registration No.: 38,494 Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, NY 11530 (516) 742-4343 RFH/rjl			<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">_____ <i>Signature of Person Mailing Correspondence</i></div> <div style="border: 1px solid black; padding: 5px;">_____ <i>Typed or Printed Name of Person Mailing Correspondence</i></div>		
CC:					

P11LARGE/REV06

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Larry J. Eshelman, et al.			US 000251(17058)
Serial No. 09/686,831	Filing Date October 11, 2000	Examiner Bui, Kieu-Oanh T.	Group Art Unit 2611
Invention: VIRTUAL CREATURE DISPLAYED ON A TELEVISION			
I hereby certify that this <u>RESPONSE UNDER 37 C.F.R. SECTION 1.116</u> <i>(Identify type of correspondence)</i> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703 872 9306</u>) on <u>June 3, 2004</u> <i>(Date)</i>			
<div>Ralph F. Hoppin <i>(Typed or Printed Name of Person Signing Certificate)</i> <i>(Signature)</i></div>			
Note: Each paper must have its own certificate of mailing.			

RECEIVED
CENTRAL FAX CENTER

5167424366

JUN 03 2004

OFFICIAL

RESPONSE UNDER 37 C.F.R.
§1.116 EXPEDITED PROCEDURE
EXAMINING GROUP 2611# 6/12
H.D.(NE)
W. Lawler
6/10/04IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Larry J. Eshelman et al.

Examiner: Bui, Kieu-Oanh T.

Serial No.: 09/686,831

Art Unit: 2611

Filed: Oct. 11, 2000

Docket: US000251 (17058)

For: VIRTUAL CREATURE DISPLAYED
ON A TELEVISION

Dated: June 3, 2004

Confirmation No.: 5772

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.116

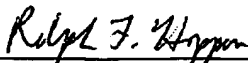
Sir:

This is a response to the final Office Action mailed on May 7, 2004.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at 703-872-9306 on June 3, 2004.

Dated: June 3, 2004


Ralph F. Hoppin